DETAILED ACTION

Notice to Applicant

1.   This communication is in response to Request for Continued Examination

(RCE) filed on 3/1/2010. Claims 1-20 have been canceled. Claims 21-40 have

been newly added. Therefore, claims 21-40 are pending for examination.

Double Patenting

2.   The nonstatutory double patenting rejection is based on a judicially

created doctrine grounded in public policy (a policy reflected in the statute) so as

to prevent the unjustified or improper timewise extension of the "right to exclude"

granted by a patent and to prevent possible harassment by multiple assignees.

A nonstatutory obviousness-type double patenting rejection is appropriate where

the conflicting claims are not identical, but at least one examined application

claim is not patentably distinct from the reference claim(s) because the examined

application claim is either anticipated by, or would have been obvious over, the

reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed.

Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In*

re Longi, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686

F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ

619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA

1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or

1.321(d) may be used to overcome an actual or provisional rejection based on a

nonstatutory double patenting ground provided the conflicting application or

patent either is shown to be commonly owned with this application, or claims an

invention made as a result of activities undertaken within the scope of a joint

research agreement.

Effective January 1, 1994, a registered attorney or agent of record may

sign a terminal disclaimer. A terminal disclaimer signed by the assignee must

fully comply with 37 CFR 3.73(b).

3.   Claims 21, 28-30, 36 and 39-40 of the instant application (09/782,685) are

provisionally rejected on the ground of nonstatutory obviousness-type double

patenting as being unpatentable over claims 21, 27-28, 30, 35 and 39-40 of

copending Application No. 09/654,152. Although the conflicting claims are not

identical, they are not patentably distinct from each other because modifications

are obvious.

This is a provisional obviousness-type double patenting rejection because

the conflicting claims have not in fact been patented.

Regarding claim 21, claim 21 of copending Application No. 09/654,152

contains every element of claim 21 of the instant application (09/782,685) and as

such anticipate claim 21 of the instant application.

Regarding claim 28, claim 27 of copending Application No. 09/654,152

contains every element of claim 28 of the instant application (09/782,685) and as

such anticipate claim 28 of the instant application.

Regarding claim 29, claim 28 of copending Application No. 09/654,152 contains every element of claim 29 of the instant application (09/782,685) and as such anticipate claim 29 of the instant application.

Regarding claim 30, claim 30 of copending Application No. 09/654,152 contains every element of claim 30 of the instant application (09/782,685) and as such anticipate claim 30 of the instant application.

Regarding claim 36, claim 35 of copending Application No. 09/654,152 contains every element of claim 36 of the instant application (09/782,685) and as such anticipate claim 36 of the instant application.

Regarding claim 39, claim 39 of copending Application No. 09/654,152 contains every element of claim 39 of the instant application (09/782,685) and as such anticipate claim 39 of the instant application.

Regarding claim 40, claim 40 of copending Application No. 09/654,152 contains every element of claim 40 of the instant application (09/782,685) and as such anticipate claim 40 of the instant application.

"A later patent claim is not patentably distinct from an earlier patent claim if the later claim is obvious over, or **anticipated by**, the earlier claim. In re Longi, 759 F.2d at 896, 225 USPQ at 651 (affirming a holding of obviousness-type

double patenting because the claims at issue were obvious over claims in four

prior art patents); In re Berg, 140 F.3d at 1437, 46 USPQ2d at 1233 (Fed. Cir.

1998) (affirming a holding of obviousness-type double patenting where a patent

application claim to a genus is anticipated by a patent claim to a species within

that genus). " ELI LILLY AND COMPANY v BARR LABORATORIES, INC.,

United States Court of Appeals for the Federal Circuit, ON PETITION FOR

REHEARING EN BANC (DECIDED: May 30, 2001).

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for

all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or
> described as set forth in section 102 of this title, if the differences between the subject matter
> sought to be patented and the prior art are such that the subject matter as a whole would
> have been obvious at the time the invention was made to a person having ordinary skill in the
> art to which said subject matter pertains. Patentability shall not be negatived by the manner in
> which the invention was made.

This application currently names joint inventors. In considering

patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that

the subject matter of the various claims was commonly owned at the time any

inventions covered therein were made absent any evidence to the contrary.

Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor

and invention dates of each claim that was not commonly owned at the time a

later invention was made in order for the examiner to consider the applicability of

35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35

U.S.C. 103(a).

5.   Claim 21-23, 25-32 and 34-35 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Peifer et al (Hereafter, Peifer), U.S. Pat. No. 5,987,519

in view of Ogura et al (Hereafter, Ogura), U.S. Pat. No. 6,045,510 and further in

view of Galipeau et al (Hereafter, Galipeau), U.S. Pat. No. 6,308,283.

Regarding claim 21, Peifer teaches a computer-implemented method for

processing user identification information and user medical information at a

central medical information computer system, the method comprising:

providing a central medical information computer system (i.e., central

monitoring station 11) interconnected to a plurality of remote collection kiosks

(i.e., patient monitoring stations 18) located at publicly accessible locations [see

Peifer, Figs. 1-2 and Col. 5, Lines 29-48].

Peifer further teaches each remote collection kiosk of the plurality of

remote collection kiosks comprising a measurement device for permitting the

newly registering users and the existing registered users to measure their own

bodily readings (i.e., medical device includes blood pressure device,

thermometer, pulse oximetry device, electrocardiogram, etc. wherein medical

device is for collecting diagnostic measurement data) [see Peifer, Col. 6, Lines

37-42 and Col. 8, Lines 51-60 and Col. 9, Lines 2-5 & Lines 19-21].

Peifer further teaches receiving the new user identifications and the bodily

readings from the remote collection kiosks and storing the received new user

identifications and the bodily readings at the central medical information

computer system, the bodily readings being stored in association with the new

and existing user identifications (i.e., measurement data and corresponding

patient's identity collected at the medical device of the patient monitoring station

18 and sent to the central monitoring station 11) [see Peifer, Figs. 1-2 and Col. 4,

Line 57 to Col. 5, Line 4 and Col. 9, Lines 17-37];

Though Peifer teaches the identity of users are collected along with

medical measurement data as shown above, Peifer does not explicitly teach

each remote collection kiosk of the plurality of remote collection kiosks

comprising a user input device for permitting newly registering users and existing

registered users to enter new and existing user identifications, respectively. Also,

Peifer does not explicitly teach each remote collection kiosk of the plurality of

remote collection kiosks comprising computer memory containing computer-

readable media storing the existing user identifications, the new user

identifications of newly registered users who registered at the remote collection

kiosk, and the bodily readings measured at the remote collection kiosk, the new

and existing user identifications comprising at least one of a user identifier and a

user password.

However, Ogura, in the similar or same field of blood pressure measuring

endeavor, discloses registering ID data of the user (user input) at each blood

pressure apparatus and comparing to ID data stored or registered in the memory

and also storing medical measurement data such as blood pressure and pulse

values in the memory [see Ogura, Figs. 3 & 5 & 9 and Abstract and Col. 30,

Lines 2-30]. It would have been obvious to one of ordinary skill in the art at the

time of the invention was made to incorporate the teaching of Ogura into the

teaching of Peifer in order to efficiently maintain registering data along with

medical measurement data at the local monitoring device so that data will be

readily and quickly retrieved.

In addition, Peifer further teaches loading the new user identifications of

the newly registering users in an update file [see Peifer, Col. 9, Lines 29-35].

Also, Peifer further teaches registering data and collecting medical measurement

data and uploading registering data along with medical measurement data to the

central monitoring station for later retrieval as shown above. On the other hand,

Ogura teaches maintaining data at the local monitoring device as shown above.

Neither Peifer nor Ogura explicitly teaches distributing the update file to the

remote collection kiosks so as to permit each said remote collection kiosk to

update the computer memory thereof to store the new user identifications

entered at other remote collection kiosks.

However, Galipeau, in the similar or same field of updating and

maintaining files endeavor, discloses mirroring of files across the network so that

files maintained at other remote computer systems can be updated [see

Galipeau, Abstract and Col. 10, Line 63 to Col. 11, Line 22]. It would have been

obvious to one of ordinary skill in the art at the time of the invention was made to

incorporate the teaching of Galipeau into the teaching of Peifer and Ogura in

order to efficiently maintain registering data along with medical measurement

data to be updated at all times among remote computer systems in the network.

Regarding claim 22, neither Peifer nor Ogura explicitly teaches the

computer-implemented method of claim 21, wherein said distributing of the

update file permits each said remote collection kiosk to update the computer

memory thereof to store the new user identifications entered at each of the other

remote collection kiosks so that the next and existing user identifications stored

in the computer memories of each said remote collection kiosks are identical.

However, Galipeau, in the similar or same field of updating and

maintaining files endeavor, discloses mirroring of files across the network so that

files maintained at other remote computer systems can be identical [see

Galipeau, Abstract and Col. 10, Line 63 to Col. 11, Line 22]. It would have been

obvious to one of ordinary skill in the art at the time of the invention was made to

incorporate the teaching of Galipeau into the teaching of Peifer and Ogura in

order to efficiently maintain registering data along with medical measurement

data to be updated at all times among remote computer systems in the network.

Regarding claim 23, Peifer further teaches the computer-implemented

method of claim 22, wherein said receiving comprises receiving, at the central

medical information computer system, the new user identifications of the newly

registering users from all remote collection kiosks interconnected to the central

medical information computer system (i.e., measurement data and corresponding

patient's identity collected at the medical device of the patient monitoring stations

18 and sent to the central monitoring station 11) [see Figs. 1-2 and Col. 4, Line

57 to Col. 5, Line 4 and Col. 9, Lines 17-37].

Regarding claim 25, neither Peifer nor Ogura explicitly teaches the computer-implemented method of claim 21, wherein: storing comprises storing copies of the update file at designated locations of the central medical information computer system, each of the designated locations corresponding to a respective remote collection kiosk of the plurality of remote collection kiosks, and distributing comprises transmitting the copies of the update file from the central medical information computer system to the respective remote collection kiosks.

However, Galipeau, in the similar or same field of updating and maintaining files endeavor, discloses mirroring of files across the network so that files maintained at other remote computer systems can be updated [see Galipeau, Abstract and Col. 10, Line 63 to Col. 11, Line 22] and directories are created in the database for storing updated files at designated locations [see Galipeau, Col. 4, Lines 14-43]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the teaching of Galipeau into the teaching of Peifer and Ogura in order to efficiently maintain registering data along with medical measurement data to be updated at all times among remote computer systems in the network and to efficiently handle stored files in created directories of database in order to index files for easy later retrieval.

Regarding claim 26, neither Peifer nor Ogura explicitly teaches the computer-implemented method of claim 25 comprising deleting the copies of the

update file from the designated locations so as to not be distributed to the remote

collection kiosks more than once.

However, Galipeau, in the similar or same field of updating and

maintaining files endeavor, discloses mirroring of files across the network so that

files maintained at other remote computer systems can be updated [see

Galipeau, Abstract and Col. 10, Line 63 to Col. 11, Line 22] and deletion

operation of files from the designated locations in the directories [see Galipeau,

Col. 4, Lines 14-43 and Col. 6, Lines 19-48 and Col. 7, Lines 16-47]. It would

have been obvious to one of ordinary skill in the art at the time of the invention

was made to incorporate the teaching of Galipeau into the teaching of Peifer and

Ogura in order to efficiently maintain registering data along with medical

measurement data to be updated at all times among remote computer systems in

the network so as to not be distributed to the remote collection kiosks more than

once and to efficiently handle stored files in created directories of database in

order to index files for easy later retrieval.

Regarding claim 27, Peifer further teaches the computer-implemented

method of claim 21, further comprising receiving a request for the update file

from the remote collection kiosks prior to said distributing of the update file [see

Peifer, Col. 9, Lines 29-35].

Regarding claim 28, Peifer further teaches the computer-implemented

method of claim 21, wherein the measurement device comprises at least one

member selected from the group consisting of a blood pressure monitor and a

scale (i.e., medical device includes blood pressure device, thermometer, pulse

oximetry device, electrocardiogram, etc.) [see Peifer, Col. 6, Lines 37-42 and

Col. 8, Lines 51-60 and Col. 9, Lines 2-5 & Lines 19-21].

Regarding claim 29, none of Peifer, Ogura and Galipeau explicitly teaches

the computer-implemented method of claim 28, wherein the publicly accessible

locations comprise at least one of drug stores and pharmacies. However, it would

have been obvious to one skilled in the art to realize that the publicly accessible

locations may include a place such as drug store or pharmacy in order to ensure

that the medical records and data information are readily available and easily

accessible to the users/patients upon demand.

Regarding claim 30, Peifer teaches a computer-implemented method for

processing user identification information and user medical information at a

remote collection kiosk, the method comprising:

providing a remote collection kiosk (i.e., patient monitoring stations 18) at

a publicly accessible location, the remote collection kiosk being interconnected to

a central medical information computer system (i.e., central monitoring station

11) [see Peifer, Figs. 1-2 and Col. 5, Lines 29-48].

Peifer further teaches each remote collection kiosk of the plurality of

remote collection kiosks comprising a measurement device for permitting the

newly registering users and the existing registered users to measure their own

bodily readings (i.e., medical device includes blood pressure device, thermometer, pulse oximetry device, electrocardiogram, etc. wherein medical device is for collecting diagnostic measurement data) [see Peifer, Col. 6, Lines 37-42 and Col. 8, Lines 51-60 and Col. 9, Lines 2-5 & Lines 19-21].

Though Peifer teaches the identity of users are collected along with medical measurement data (i.e., measurement data and corresponding patient's identity collected at the medical device of the patient monitoring station 18 and sent to the central monitoring station 11) [see Peifer, Figs. 1-2 and Col. 4, Line 57 to Col. 5, Line 4 and Col. 9, Lines 17-37], Peifer does not explicitly teach each remote collection kiosk of the plurality of remote collection kiosks comprising a user input device for permitting newly registering users and existing registered users to enter new and existing user identifications, respectively. Also, Peifer does not explicitly teach each remote collection kiosk of the plurality of remote collection kiosks comprising computer memory containing computer-readable media storing the existing user identifications, the new user identifications of newly registered users who registered at the remote collection kiosk, and the bodily readings measured at the remote collection kiosk, the new and existing user identifications comprising at least one of a user identifier and a user password.

However, Ogura, in the similar or same field of blood pressure measuring endeavor, discloses registering ID data of the user (user input) at each blood pressure apparatus and comparing to ID data stored or registered in the memory and also storing medical measurement data such as blood pressure and pulse

values in the memory [see Ogura, Figs. 3 & 5 & 9 and Abstract and Col. 30,

Lines 2-30]. It would have been obvious to one of ordinary skill in the art at the

time of the invention was made to incorporate the teaching of Ogura into the

teaching of Peifer in order to efficiently maintain registering data along with

medical measurement data at the local monitoring device so that data will be

readily and quickly retrieved.

In addition, Peifer further teaches registering data and collecting medical

measurement data and uploading registering data along with medical

measurement data to the central monitoring station for later retrieval as shown

above. On the other hand, Ogura teaches maintaining data at the local

monitoring device as shown above. Neither Peifer nor Ogura explicitly teaches

receiving, at said remote collection kiosk, an update file from the central medical

information computer system, the update file containing new user identifications

entered at other remote collection kiosks that are located at publicly accessible

locations and are interconnected to the central medical information computer

system, and updating the computer memory of the remote collection kiosk to

store the new user identifications entered at the other remote collection kiosks.

However, Galipeau, in the similar or same field of updating and

maintaining files endeavor, discloses mirroring of files across the network so that

files maintained at other remote computer systems can be updated [see

Galipeau, Abstract and Col. 10, Line 63 to Col. 11, Line 22]. It would have been

obvious to one of ordinary skill in the art at the time of the invention was made to

incorporate the teaching of Galipeau into the teaching of Peifer and Ogura in

order to efficiently maintain registering data along with medical measurement

data to be updated at all times among remote computer systems in the network.

Regarding claim 31, neither Peifer nor Ogura explicitly teaches the

computer-implemented method of claim 30, further comprising updating the

computer memory of the remote collection kiosk to store the new user

identifications entered at the other remote collection kiosks so that the new and

existing user registrations stored in the computer memories of each of the remote

collection kiosks are identical.

However, Galipeau, in the similar or same field of updating and

maintaining files endeavor, discloses mirroring of files across the network so that

files maintained at other remote computer systems can be identical [see

Galipeau, Abstract and Col. 10, Line 63 to Col. 11, Line 22]. It would have been

obvious to one of ordinary skill in the art at the time of the invention was made to

incorporate the teaching of Galipeau into the teaching of Peifer and Ogura in

order to efficiently maintain registering data along with medical measurement

data to be updated at all times among remote computer systems in the network.

Regarding claim 32, Peifer further teaches the computer-implemented

method of claim 30, further comprising sending a request for the update file from

the remote collection kiosk to the central medical information computer system

prior to said receiving of the update file [see Peifer, Col. 9, Lines 29-35].

Claim 34 is rejected under the same rationale set forth above to claim 28.

Claim 35 is rejected under the same rationale set forth above to claim 29.

6.   Claim 24, 33 and 36-40 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Peifer et al (Hereafter, Peifer), U.S. Pat. No. 5,987,519 in view

of Ogura et al (Hereafter, Ogura), U.S. Pat. No. 6,045,510 and further in view of

Galipeau et al (Hereafter, Galipeau), U.S. Pat. No. 6,308,283 and further in view

of Tipirneni, U.S. Pat. No. 6,381,029.

        Regarding claim 24, none of Peifer, Ogura and Galipeau explicitly teaches

the computer-implemented method of claim 21, comprising operating the central

medical information computer system to provide a medical information web site

for permitting the newly registering users and existing registered users to view

the bodily readings stored at the central medical information computer system.

However, Tipirneni, in the similar or same field of collecting patient's data

endeavor, discloses the host server constructs an HTML web page which

includes a list of patients whose patients' formation and images (medical

information) are available for accessing and viewing [see Tipirneni, Abstract and

Col. 2, Lines 16-27]. It would have been obvious to one of ordinary skill in the art

at the time of the invention was made to incorporate the teaching of Tipirneni into

the teaching of Peifer, Ogura and Galipeau in order to efficiently access and view

data files from the remote area via a medical information web site.

Regarding claim 33, none of Peifer, Ogura and Galipeau explicitly teaches
the computer-implemented method of claim 30, wherein said receiving and
updating further comprise receiving and storing new user identifications of newly
registering users that register via a medical information web site operated by the
central medical information computer system. However, Tipirneni, in the similar
or same field of collecting patient's data endeavor, discloses the host server
constructs an HTML web page which includes a list of patients whose patients'
formation and images (medical information) are available for accessing and
viewing [see Tipirneni, Abstract and Col. 2, Lines 16-27]. It would have been
obvious to one of ordinary skill in the art at the time of the invention was made to
incorporate the teaching of Tipirneni into the teaching of Peifer, Ogura and
Galipeau in order to efficiently access and view data files from the remote area
via a medical information web site.

Regarding claim 36, Peifer teaches a computer-implemented information
collection system comprising:

a plurality of remote collection kiosks (i.e., patient monitoring stations 18)
located at publicly accessible locations [see Peifer, Figs. 1-2 and Col. 5, Lines
29-48].

Peifer further teaches the remote collection kiosks comprising
measurement devices for allowing the newly registering users and the existing
registered users to measure their own bodily readings as medical information
(i.e., medical devices include blood pressure devices, thermometers, pulse

oximetry devices, electrocardiograms, etc. wherein medical devices are for

collecting diagnostic measurement data) [see Peifer, Col. 6, Lines 37-42 and Col.

8, Lines 51-60 and Col. 9, Lines 2-5 & Lines 19-21].

Peifer further teaches a central medical information computer system (i.e.,

central monitoring station 11) interconnected to the remote collection kiosks (i.e.,

patient monitoring stations 18) [see Peifer, Figs. 1-2 and Col. 5, Lines 29-48], the

central medical information computer system comprising a medical information

server comprising an information database for storing the new and existing user

identifications and the medical information [see Peifer, Col. 4, Line 57 to Col. 5,

Line 4 and Col. 9, Lines 31-35].

Though Peifer teaches the identity of users are collected along with

medical measurement data as shown above, Peifer does not explicitly teach the

remote collection kiosks comprising a user input devices for allowing newly

registering users and existing registered users to enter new and existing user

identifications, respectively. Also, Peifer does not explicitly teach the remote

collection kiosks comprising computer memory containing computer-reading

media for storing the new and existing user identifications and the medical

information, the user identifications including at least one of a user identifier and

a password.

However, Ogura, in the similar or same field of blood pressure measuring

endeavor, discloses registering ID data of the user (user input) at each blood

pressure apparatus and comparing to ID data stored or registered in the memory

and also storing medical measurement data such as blood pressure and pulse

values in the memory [see Ogura, Figs. 3 & 5 & 9 and Abstract and Col. 30,

Lines 2-30]. It would have been obvious to one of ordinary skill in the art at the

time of the invention was made to incorporate the teaching of Ogura into the

teaching of Peifer in order to efficiently maintain registering data along with

medical measurement data at the local monitoring device so that data will be

readily and quickly retrieved.

In addition, Peifer further teaches a central medical information computer

system (i.e., central monitoring station 11) interconnected to the remote

collection kiosks (i.e., patient monitoring stations 18) [see Peifer, Figs. 1-2 and

Col. 5, Lines 29-48], the central medical information computer system comprising

a medical information server comprising an information database for storing the

new and existing user identifications and the medical information [see Peifer, Col.

4, Line 57 to Col. 5, Line 4 and Col. 9, Lines 31-35].

In addition, Peifer further teaches loading the new user identifications of

the newly registering users in an update file [see Peifer, Col. 9, Lines 29-35].

Also, Peifer further teaches registering data and collecting medical measurement

data and uploading registering data along with medical measurement data to the

central monitoring station for later retrieval as shown above. On the other hand,

Ogura teaches maintaining data at the local monitoring device as shown above.

Neither Peifer nor Ogura explicitly teaches a kiosk server comprising an update

medical information database containing the medical information collected via the

remote collection kiosks and awaiting to be stored in the information database of

the medical information server, and a client interface for distributing an update

file of the new user identifications from the central medical information computer

system to the remote collection kiosks for updating the computer memories of the

remote collection kiosks to provide each of the remote collection kiosks with an

updated list of the user identifications of the existing and newly registered users.

However, Galipeau, in the similar or same field of updating and

maintaining files endeavor, discloses mirroring of files across the network so that

files maintained at other remote computer systems can be updated [see

Galipeau, Abstract and Col. 10, Line 63 to Col. 11, Line 22]. It would have been

obvious to one of ordinary skill in the art at the time of the invention was made to

incorporate the teaching of Galipeau into the teaching of Peifer and Ogura in

order to efficiently maintain registering data along with medical measurement

data to be updated at all times among remote computer systems in the network.

Peifer does not explicitly teach the medical information server providing

Internet-accessible web pages for permitting the newly registering users and

existing registered users to view the medical information stored in the information

database. However, Tipirneni, in the similar or same field of collecting patient's

data endeavor, discloses the host server constructs an HTML web page which

includes a list of patients whose patients' formation and images (medical

information) are available for accessing and viewing [see Tipirneni, Abstract and

Col. 2, Lines 16-27]. It would have been obvious to one of ordinary skill in the art

at the time of the invention was made to incorporate the teaching of Tipirneni into

the teaching of Peifer, Ogura and Galipeau in order to efficiently access and view

data files from the remote area via a medical information web site.

Regarding claim 37, none of Peifer, Ogura and Tipirneni explicitly teaches the computer-implemented information collection system of claim 36, wherein the updated computer memories of the remote collection kiosks contain the user identifications of the existing and newly registered users that registered at all of the remote collection kiosks. However, Galipeau, in the similar or same field of updating and maintaining files endeavor, discloses mirroring of files across the network so that files maintained at other remote computer systems can be updated [see Galipeau, Abstract and Col. 10, Line 63 to Col. 11, Line 22]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the teaching of Galipeau into the teaching of Peifer, Ogura and Tipirneni in order to efficiently maintain registering data along with medical measurement data to be updated at all times among remote computer systems in the network and thus the updated computer memories of the remote collection kiosks contain the user identifications of the existing and newly registered users that registered at all of the remote collection kiosks.

Regarding claim 38, none of Peifer, Ogura and Tipirneni explicitly teaches the computer-implemented information collection system of claim 36, wherein the central medical information computer system is operable to: store copies of the update file at designated locations of the central medical information computer system, each of the designated locations corresponding to a respective remote collection kiosk of the plurality of remote collection kiosks, and transmit the

copies of the update file from the central medical information computer system to the respective remote collection kiosks.

However, Galipeau, in the similar or same field of updating and maintaining files endeavor, discloses mirroring of files across the network so that files maintained at other remote computer systems can be updated [see Galipeau, Abstract and Col. 10, Line 63 to Col. 11, Line 22] and directories are created in the database for storing updated files at designated locations [see Galipeau, Col. 4, Lines 14-43]. It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the teaching of Galipeau into the teaching of Peifer and Ogura in order to efficiently maintain registering data along with medical measurement data to be updated at all times among remote computer systems in the network and to efficiently handle stored files in created directories of database in order to index files for easy later retrieval.

Regarding claim 39, Peifer further teaches the computer-implemented information collection system of claim 36, wherein the measurement devices comprise at least one member selected from the group consisting of a blood pressure monitor and a scale (i.e., medical device includes blood pressure device, thermometer, pulse oximetry device, electrocardiogram, etc.) [see Peifer, Col. 6, Lines 37-42 and Col. 8, Lines 51-60 and Col. 9, Lines 2-5 & Lines 19-21].

Regarding claim 40, none of Peifer, Ogura and Galipeau explicitly teaches the computer-implemented information collection system of claim 36, wherein the publicly accessible locations comprise at least one of drug stores and pharmacies. However, it would have been obvious to one skilled in the art to realize that the publicly accessible locations may include a place such as drug store or pharmacy in order to ensure that the medical records and data information are readily available and easily accessible to the users/patients upon demand.

Response to Arguments

7.   Applicant's arguments with respect to claims 21-40 have been considered but are moot in view of the new ground(s) of rejection.

8.   A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS ACTION IS SET TO EXPIRE THREE MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION. FAILURE TO RESPOND WITHIN THE PERIOD FOR RESPONSE WILL CAUSE THE APPLICATION TO BECOME ABANDONED (35 U.S.C. § 133). EXTENSIONS OF TIME MAY BE OBTAINED UNDER THE PROVISIONS OF 37 CAR 1.136(A).

9.   Any inquiry concerning this communication or earlier communications from

the examiner should be directed to Philip Tran whose telephone number is (571)

272-3991. The Group fax phone number is (571) 273-8300. If attempts to reach

the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh

Najjar, can be reached on (571) 272-4006.

10.   Information regarding the status of an application may be obtained from

the Patent Application Information Retrieval (PAIR) system. Status information

for published applications may be obtained from either Private PAIR or Public

PAIR. Status information for unpublished applications is available through Private

PAIR only. For more information about the PAIR system, see http://pair-

direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-

free).

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May 27, 2010